

REMARKS/ARGUMENTS

The Status of the Claims.

Claims 19-39 and 42 are pending with entry of this amendment, claims 1-10, 12-13, and 15-18 being cancelled herein, and claims 11, 14 and 40-41 being cancelled in previous amendments. These amendments are made without prejudice and are not to be construed as abandonment of the previously claimed subject matter or agreement with any objection or rejection of record. Applicants submit that no new matter has been added to the application by way of the above Amendment. Accordingly, entry of the Amendment is respectfully requested.

Applicants note that the claims are novel and non-obvious over the previously-cited art. The Office has indicated that claims 37-42 are not anticipated by Lieber et al. (USPN 7,211,464) and has withdrawn the rejection in light of Applicants argument. The Office has also indicated that claims 1-10, 12-13, 15-18 and 31 are patentable over Matjazewski (USPN 7,056,045) in view of Lieber and has withdrawn the rejection in light of Applicants argument. Furthermore, the Office has indicated that claims 19-30 and 32-36 are patentable over Matjazewski in view of Ying et al. (USPN 7,211,464) and has withdrawn the rejection in light of Applicants argument. Applicants respectfully thank the Examiner for the careful consideration of Applicants remarks and withdrawal of the above-noted 102- and 103-based rejections.

Allowable Claims.

The office has indicated that claims 19-39 and 42 are allowed, for which Applicants respectfully thank the Examiner.

35 U.S.C. §102.

The rejection over Gin is moot

Claims 1-10, 12 and 15-18 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by Gin et al. (USPN 5,849,215). Applicants traverse.

In light of claims 19-39 and 42 being found to be allowable, Applicants have cancelled rejected claims 1-10, 12 and 15-18. Cancellation of the rejected claims is made without prejudice and are not to be construed as abandonment of the previously claimed subject matter, or agreement with any objection or rejection of record. Applicants submit that the rejection is moot in light of the claim amendment canceling the rejected claims.

CONCLUSION

In view of the foregoing, Applicants believes all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the claims are deemed not to be in condition for allowance after consideration of this Response, Applicants respectfully request a telephone interview to address the issues. Please telephone the undersigned at (510) 337-7871 to schedule an interview.

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Respectfully submitted,



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Attachments:

- 1) A transmittal sheet; and
- 2) A receipt indication postcard.